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F. #2016R02056

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

TIMOTHY GREENE, MATTHEW
GREENE, SAMUEL LIRIANO, FNU
LNU #1, also known as "Manny,"
CARLOS BERMUDEZ, also known as
"Carlito," TANIA AGUILAR,
DONALD LNU, also known as "Dot,"
FNU LNU #2, also known as "Ray
Banger," PALAYOTIS LAMPRINOS,
also known as "Peter," KYLE
SAMMUT, GEORGE ECONOMOS
and SERGIO GUERRERO,

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

RYAN LAWSON, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

Upon information and belief, on or about and between September 2016 and July 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants TIMOTHY GREENE, MATTHEW GREENE, SAMUEL LIRIANO, FNU LNU #1, also known as "Manny," CARLOS BERMUDEZ, also known as "Carlito," TANIA AGUILAR, DONALD LNU, also known as "Dot," FNU LNU #2, also known as "Ray Banger," and PALAYOTIS LAMPRINOS, also known as "Peter," together

TO BE FILED UNDER SEAL

AFFIDAVIT AND COMPLAINT
IN SUPPORT OF AN ARREST
WARRANT

(T. 21, U.S.C. §§ 846,
841(b)(1)(A)(viii) and
841(b)(1)(B)(i))

with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved one-hundred grams or more of a substance containing heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

(Title 21, United States Code, Sections 846 and 841(b)(1)(B)(i))

Upon information and belief, on or about and between November 2016 and July 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PALAYOTIS LAMPRINOS, also known as “Peter,” KYLE SAMMUT, GEORGE ECONOMOS and SERGIO GUERRERO, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved fifty grams or more of a substance containing methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

(Title 21, United States Code, Sections 846 and 841(b)(1)(A)(viii))

The source of your deponent’s information and the grounds for his belief are as follows:

1. I have been an FBI Special Agent since 2014, and am assigned to a squad that investigates individuals and organizations engaged in narcotics trafficking and related offenses. During my tenure with the FBI, I have participated in numerous narcotics investigations during the course of which I have (a) conducted physical and wire surveillance; (b) executed court-authorized search warrants; (c) reviewed and analyzed numerous recorded

conversations of drug traffickers; (d) debriefed cooperating witnesses and victims; (e) monitored wiretapped conversations of drug traffickers and reviewed line sheets prepared by wiretap monitors; and (f) conducted surveillance of individuals engaged in drug trafficking and money laundering. Through my training, education and experience, I have become familiar with (a) the manner in which illegal drugs are imported and distributed; (b) the method of payment for such drugs; and (c) the efforts of persons involved in such activity to avoid detection by law enforcement.

2. Since approximately September 2016, FBI agents, along with New York City Police Department Detectives, have been investigating a suspected drug trafficking organization operating in Brooklyn, New York, among other locations. From information learned through my investigation, including reports made to me by FBI special agents, local police departments, confidential informants, reports of physical surveillance and from reports of conversations, I am familiar with the facts and circumstances set forth below. Except where otherwise noted, the information set forth in this Complaint has been provided to me by other law enforcement officers or confidential sources.¹

3. From my participation in the investigation, I am aware that in or about and between September 2016 and July 2017, PALAYOTIS LAMPRINOS, also known as “Peter,” spoke to another individual (CC-1²) numerous times to discuss narcotics transactions.

¹ Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

² CC-1 was previously convicted of a federal narcotics trafficking offense and has

During the conversations, CC-1 and LAMPRINOS discussed narcotics transactions in which LAMPRINOS provided CC-1 heroin. Over the course of multiple narcotics transactions in Brooklyn, New York, during the above-referenced time period, LAMPRINOS provided in excess 100 grams of what LAMPRINOS held out as heroin³ to CC-1 in exchange for United States currency. LAMPRINOS also provided 2 ounces of methamphetamine to CC-1 in exchange for United States currency. Recorded conversations, telephone toll records and the statements of other witnesses corroborate LAMPRINOS's narcotics transactions with CC-1.

4. In March 2017, a United States District Court Judge in the Eastern District of New York issued an order authorizing the interception of wire and electronic communications over LAMPRINOS's mobile telephone and then authorized an additional thirty days of interception to follow. Prior to and during the course of these interceptions, law enforcement determined that TIMOTHY GREENE was a source of heroin supply for LAMPRINOS. In April 2017, a United States District Court Judge in the Eastern District of New York issued an order authorizing the interception of wire and electronic communications over TIMOTHY GREENE's telephone and then reauthorized an additional thirty days of

completed his/her sentence. CC-1 is not currently a United States citizen and is cooperating with law enforcement in the hopes of maintaining a permanent residency or citizenship status. CC-1 received cash payments in 2015 for information not related to this case and is not currently being compensated other than for expenses incurred related to CC-1's cooperation. Information previously provided by CC-1 has been corroborated in significant part by information provided by confidential sources, audio recordings and physical evidence.

³ LAMPRINOS provided two packages to CC-1 that LAMPRINOS informed CC-1 contained very strong heroin; those packages tested positive for pure fentanyl. Certain other of the packages LAMPRINOS identified as heroin and provided to CC-1 contained heroin mixed with fentanyl.

interception. The interception period revealed that GREENE and LAMPRINOS each conspired to obtain and distribute at least 100 grams of heroin with numerous individuals, as outlined below.

5. The investigation has revealed that GREENE is specifically supplying heroin to LAMPRINOS and others. On January 10, CC-1 sought to purchase heroin through LAMPRINOS, following which, LAMPRINOS exchanged a number of calls with GREENE. LAMPRINOS indicated to CC-1 that he was going to meet up with his supplier, after which then LAMPRINOS met up with and sold the narcotics to CC-1, indicating that it was heroin.⁴ In addition, on at least five occasions between September 2016 and June 2017, NYPD confidential sources purchased narcotics that tested positive for heroin from GREENE. The narcotics subsequently tested positive for fentanyl.

6. During the course of the authorized interception, law enforcement

⁴ On January 11, 2017, LAMPRINOS called CC-1 and stated: "I wanted to tell you, yo, this one is very, very good. It's supposed to be very, very good. And you can, you know, step on it, if you want, you can step on it – supposed to be very good, be careful- very strong, this one. So be careful, tell him if you want, he could put a – make extra money with it, you know? Put a little extra inside." CC-1 stated that he/she hadn't passed the drugs along yet. LAMPRINOS acknowledged this and continued, "what I'm saying is, tell him to be careful, its very strong. Because if you put too much, maybe its dangerous, you put too much, you know. I don't know." CC-1 said that he/she understood what LAMPRINOS was saying. LAMPRINOS stated again, "just let him know, its strong this one, its definitely strong, its definitely..." The individuals planned to meet up later. In my belief, LAMPRINOS was warning CC-1 that the drug he provided was exceptionally strong, which is corroborated by the fact that it was in fact, fentanyl. LAMPRINOS was explaining to CC-1 that whoever CC-1 sold to could "step on," a street term which means to add a cutting agent to, to the drugs, to increase the volume and make more sales. Typically, someone would only "step on," or cut, relatively pure narcotics (as opposed to narcotics that have already been diluted by a cutting agent such as baby powder or flour).

learned that SAMUEL LIRIANO, FNU LNU #1, also known as "Manny," and FNU LNU #2, also known as "Ray Banger" each supplied heroin to TIMOTHY GREENE on at least several occasions.

7. SAMUEL LIRIANO and GREENE were in regular contact between at least approximately January 2017 through July 2017. The investigation revealed that much, if not all, of this communication was narcotics-related. Specifically, on April 17, 2017, GREENE and SAMUEL LIRIANO conducted the following telephone conversation⁵:

SL: Hello.

TG: Yea, whaddup cuz.

SL: Whaddup?

TG: You around?

SL: Yea, what do you need?

TG: I need ten on that doggy food.

SL: Ahhhh. The same one, or you want something different?

TG: You got something different I take something different

SL: No, I want to call my man to see what's up

TG: I mean, you get something different, go ahead. Yea. Try how that one is. [overtalk ("OV")] But if not, if you can't I'll just take the other one. It don't matter.

SL: No, I don't got it today. I can get it to you for next time but I don't got it today. Cause you waiting for something.

TG: Oh, you got something, you got something though, right?

SL: Yea, I got the one from before.

TG: All right, all right, I take it. Don't worry about it.

SL: All right, no doubt.

TG: All right, bye.

TG: Where you want me to meet you at?

SL: Ahhhhhhhh, 5-3, 6 and 7.

TG: All right. I be right there.

SL: You know what? Nah, don't go over there man. Ahhhhhh. You want me to

⁵ Any summaries of communications intercepted pursuant to these Orders set forth herein refer to draft translations of communications and are set forth in sum and substance and in part.

meet you in the store? [unintelligible ("UI")]

TG: You know what it is that I gotta...I'm gonna go pick up the bags to bag up the dog food in [UI]

SL: Where, where?

TG: On 43rd and 5th.

SL: Oh, damn. My boy ran up on him on 45th and 5th, right there.

TG: Yea, yea, yea, it's hot over there.

SL: Yea, so, if you want to meet me on 53rd [OV]

TG: How about we meet on 53rd between 4th and 5th, where we met the last time?

SL: Aight, no doubt. So come over here right now.

TG: All right, I'll be over there a couple of minutes I'm on 36, I'm waiting for my cab.

SL: All right, bye.

8. Based on my training and experience and knowledge of this investigation, I believe that on this call, GREENE was asking LIRIANO to supply him with narcotics, using the code term "doggy food." This is a term that GREENE used frequently throughout the investigation, with several individuals who we observed conducting narcotics deals, and with known narcotics players. GREENE and LIRIANO then discussed whether LIRIANO had a certain type of narcotics, referring to a type LIRIANO had previously supplied to GREENE. LIRIANO indicated that he had one type one hand, but not another. GREENE agreed he wanted to purchase that type. GREENE indicated that he was going to meet LIRIANO after picking up the bags to parcel out the narcotics. They also discussed where to meet, noting that "its hot" in a certain location, which in my belief based on my training and experience and my knowledge of this investigation, is a coded reference to law enforcement being present in that location. On three calls later that day, GREENE and

LIRIANO coordinated a meeting, and it is my belief from the investigation that GREENE and LIRIANO conducted a narcotics deal at that time.

9. On April 20, 2017, LIRIANO and GREENE exchanged text messages about meeting up in the “same place” as the last time, which I believe to be a reference to their meeting spot on April 17 for the narcotics transaction. GREENE texted to LIRIANO’s TARGET CELL PHONE that GREENE was in need of “10 girl scout cookies” which I also believe to be a coded reference to narcotics, as it is a code word that GREENE used frequently with individuals involved in narcotics dealing. Following that text, GREENE and LIRIANO exchanged additional text messages and phone calls over the TARGET CELL PHONE to coordinate meeting up. GREENE also referred to needing fifteen dollars worth of the “cookies,” on a later phone call with LIRIANO. They exchanged a similar pattern of calls and texts on April 30, after LIRIANO texted GREENE asking, “what u need” which I understood to be a question about what kind or amount of narcotics GREENE needed to be supplied that day.

10. GREENE and LIRIANO spoke and texted again on May 1, 2017, during which time LIRIANO asked GREENE if he needed “fifteen dollars” worth, which I believe to be a reference to the amount GREENE would pay LIRIANO for a corresponding quantity of narcotics. On May 8 and May 10, GREENE told LIRIANO that GREENE needed “ten dollars,” and LIRIANO agreed to meet up with GREENE and based on the intercepted communications, I believe that they did so thereafter. On May 31, GREENE texted LIRIANO that GREENE needed “30 hard also put 20 and a 10,” which I believe to be a

request for rock-form narcotics in a certain quantity. On that day, surveillance showed GREENE and LIRIANO meeting up in Brooklyn near a residence known to be associated with GREENE. On June 3, GREENE informed LIRIANO that he was “gonna take 10,” which I believe to be a reference to a quantity of narcotics. Similarly, on June 12, GREENE indicated he needed “20 dollars ... 2 ten dollar bill,” which I understood to be two separate parcels of narcotics totaling a certain amount. Following these requests, LIRIANO coordinated meeting up with GREENE. I believe on each of these dates, the two individuals conducted narcotics transactions.

11. The pattern of communication between LIRIANO and GREENE indicates that they corresponded often several days in a row regarding narcotics transactions. Historical pen register data revealed that LIRIANO and GREENE were in contact on almost fifty unique dates between January and July 2017. In my belief, based on my training, experience and knowledge of the investigation, these communications in total evidence at least a several month conspiracy to traffic foreseeably at least 100 grams of heroin.

12. Similarly, the investigation has revealed FNU LNU #1, also known as “Manny,” also supplied GREENE with heroin. Manny and GREENE also conducted wiretapped conversations in which they referred to “food,” and “hard” and other code for narcotics and frequently coordinated meetups which I believe were for narcotics transactions. For example, on April 29, 2017, GREENE called Manny and informed him that GREENE needed “20-25” minutes; about one hour later, GREENE told Manny he was “there.” Manny asked GREENE, “just the doggie, right?” and GREENE confirmed that was correct. I believe

that “doggie” is the same code for narcotics as GREENE used with his other supplier, LIRIANO. Soon after, TIMOTHY GREENE’s son, MATTHEW GREENE called and TIMOTHY stated that he was seeing “Manny right now ... I’ll call you back when I’m done seeing him.” MATTHEW asked “Who are you doing it with?” to which TIMOTHY responded, “I’m by myself. I’m with that n-gga, Manny.” I believe that on this call, TIMOTHY was informing his son that he was meeting Manny to conduct a narcotics transaction and MATTHEW was asking who TIMOTHY had helping him.

13. On May 27, 2017, Manny called GREENE and told him to “pull up.” GREENE said he needed a little more time to get there. Manny instructed GREENE to let Manny know when GREENE is ready for the “food.” Again, based on my training, experience and knowledge of this investigation, I believe that this is code for narcotics. Just over an hour later, GREENE told Manny he was outside, after which I believe a narcotics exchange took place.

14. On May 30, GREENE called Manny and they had the following conversation:

TG: Yo I got some money on that dog food for you if you want to come through.

M: All right.

TG: All right and uh you gonna come or you gonna send somebody?

M: I’ll pull up.

TG: All right so when you pull up I wanna talk to you about. I need some for tomorrow for my man from Boston.

M: I’ll talk to you over there.

TG: All right.

15. In my belief, based on my training, experience and knowledge of this investigation, GREENE is indicating to Manny that he has sold some of the narcotics Manny supplied – the “dog food” – and GREENE now has cash to pay Manny. Then, when Manny indicated he would come pick up the money from GREENE, GREENE indicated that he needed “some” for a Boston customer. I believe that this is another reference to GREENE asking Manny to supply him with narcotics. On a call shortly thereafter, Manny told GREENE “I’m gonna send my nephew up there you heard cause I’m waiting on something over here. Just let him know whatever it is that you need for tomorrow and I’ll be ready for you.” In my belief, Manny was sending his nephew to bring the narcotics to GREENE on that day, and instructing GREENE to place his order for narcotics with the nephew. Manny further indicated that he would be able to provide whatever GREENE requested for the next day. Indeed, on the next day, May 31, GREENE sent a text message to Manny, stating “Yo my man here I need that,” and then called Manny. Manny replied by phone that he would be there in 40 minutes. About 45 minutes later, Manny called GREENE and said “Come up.” GREENE replied “Ok. You got what I sent you, right?” Manny said “...twenty, right? Hello. You said food twenty, right?” They had another call on which Manny asked, “You said two 20?” GREENE said “Uh huh,” and Manny said, “Hardy, thirty?” then GREENE replied “Forty, forty.” GREENE then said he would pull up right then. I believe on this date the two individuals did meet up for a narcotics transaction, which was coded using the word “food” again, with twenty and forty being coded references to price or quantity.

16. On additional dates, GREENE and Manny spoke over the phone to set up meeting points which, based on my training, experience and knowledge of this investigation, were meetings to conduct narcotics transactions. Specifically, on April 23, 2017, GREENE set up a meeting with Manny, and then minutes later, GREENE called a taxi cab to take him to a specific location. On April 26, 2017, GREENE exchanged phone calls with Manny about being in the “hood” and “on the block.” Similarly, on May 3, GREENE called Manny and Manny said for GREENE to tell him when GREENE was “ready.” GREENE replied that he was “ready” and that Manny knows where GREENE is located. Manny indicated that he would call GREENE again in a half-an-hour. About ten minutes later, GREENE told Manny he was 10 blocks away.

17. Moreover, pen register data revealed that GREENE and Manny were in contact on approximately 25 unique dates between just April 22 and July 3, 2017. The pattern of communication between GREENE and Manny indicates that they corresponded often several days in a row similar to how GREENE and LIRIANO communicated. In my belief, based on my training, experience and knowledge of the investigation, these communications between GREENE and Manny, in conjunction with the rest of the investigation, evidence at least a several month conspiracy to traffic foreseeably at least 100 grams of heroin.

18. TIMOTHY GREENE also spoke with FNU LNU #2, also known as “Ray Banger,” about conducting narcotics transactions. Specifically, on May 7, 2017, on an intercepted call, GREENE had the following conversation with Ray Banger:

TG: Yo what up boy?

RB: Whats good, my n-gga?
TG: Chillin, chillin. You good?
RB: Yeah yeah.
TG: Yeah all right I'm heading down that way now. Umm I should be down that way in like fifteen minutes. Where can I meet you at?
RB: I can meet you there? (UI)
TG: Uh... I need a whole arm.
RB: I got you so I'll meet you somewhere. I'll come see you in the car or anything.
TG: Uhh you where you I'm gonna be at. You know where I'm at
RB: I got you. All right.
TG: All right man.
RB: All right.
TG: I'll call you when I get there.
RB: All right.

19. Based on my training, experience and knowledge of this investigation, I believe that GREENE called Ray to see if Ray could supply GREENE with narcotics. When GREENE asked "you good" he was referring to whether Ray Banger was in possession of narcotics. GREENE then requested an "arm" of heroin, which I know is a street term that refers to a specific quantity of heroin. GREENE and Ray then discussed meeting. In the several calls that follow, GREENE and Ray Banger coordinated time and location for a meeting, which I believe was to conduct a narcotics transaction.

20. The next day, Ray Banger and GREENE spoke again, conducting the following discussion:

TG: You good?
RB: I'll be good in like one hour.
TG: All right, all right, I need one.
RB: That shit was fire, right?
TG: Yea, its good. It's good. They like it.
RB: All right, brother. I let you know when I'm ready.
TG: All right.

Based on my training, experience and understanding of this investigation, I believe GREENE called to ask if Ray Banger was in possession of narcotics. Ray indicated that he would be in one hour. When Ray Banger stated "that shit was fire, right?" I believe that he was referring to the narcotics he had supplied to GREENE the day before. I believe that GREENE's response that it was good and "they like it" was an acknowledgment by GREENE that his customers liked the product. Then, they agreed that Ray Banger would notify GREENE when he had more narcotics to sell him. About one hour later, GREENE called Ray Banger again and Ray Banger indicated that he would be meeting GREENE in 10-15 minutes. About 20 minutes later, GREENE called Ray again and stated "Joey's up there waiting for you to stall. Man, try to hurry up, I got like nine people just sitting here." Ray responded, "I got you, I got you. I'll be right there." In my belief, GREENE was informing Ray that GREENE had at least nine customers waiting for the narcotics that Ray was supplying and that he was trying to stall while Ray was taking too long.

21. TIMOTHY GREENE also contacted Ray Banger later on May 8, 2017, requesting "half an arm" which I believe to be another request for a certain quantity of the heroin that Ray supplied to GREENE. On May 9 and May 10, 2017, GREENE also asked Ray Banger if he was "good," which I understood to be requests for Ray to supply GREENE. Similarly, on May 13, when GREENE asked if Ray Banger was "good," Ray texted back "tomorrow afternoon." In my belief, based on my training, experience and knowledge of the investigation, the pattern and frequency of communications between GREENE and Ray

Banger, in conjunction with the rest of the investigation, evidence at least a several month conspiracy to traffic foreseeably at least 100 grams of heroin.

22. On several occasions, intercepted calls, physical surveillance and other corroborating sources of information revealed that TIMOTHY GREENE commissioned the assistance of his son, MATTHEW GREENE to conduct narcotics transactions. Specifically, TIMOTHY GREENE directed MATTHEW GREENE to take in phone calls from customers, and to conduct hand-to-hand sales in which MATTHEW GREENE provided heroin to customers in exchange for cash.

23. Specifically, on March 7, 2017, PETER LAMPRINOS called TIMOTHY GREENE's number and MATTHEW GREENE answered the telephone. LAMPRINOS asked where "your pop's at" and MATTHEW replied, "my pops is home sleeping, I could be here though." LAMPRINOS stated "do you know what we got going on today?" MATTHEW stated he did not, and LAMPRINOS replied he would come over to talk. About two and a half hours later, TIMOTHY GREENE and LAMPRINOS had the following conversation:

TG: Yo.

PL: Yo, yeah. I told this guy I need more time because I grabbed the wrong thing by accident, so should I just come back?

TG: I can't do nothing [UI] f-cked up the powder.

PL: Yea, crushed up the powder. [OT]

TG: So the best thing I can do for you is just give me, uh, so I can buy my ten that cost me...[UI]... And you still went down hard and you could just try to sell it off [UI].

PL: Damn, yo.

TG: You know what I'm sayin?

[OT]

PL: Huh? Not in powder like this, bro. It's powder. Yo, you gotta cook it back up so it gets hard again.

TG: You can't re-cook that.

PL: You can't? Why?

TG: If you re-cook those 10, you might get back 6 or 5.

PL: F-ck. [UI]

TG: I have to re-cook it. We can take the chance. That'll be on you. [UI]

PL: I don't want to f-ck this guy over like this right now, bro.

TG: And this shit right here looks nice and gray too.

PL: It looks good, right? Damn, bro. This shit looked gray, that's why I was like "what the f-ck?" I was like, "why is it like this?" I asked Matt, I was like, "why is it like this?" He was like, "it's five and five." I was like, "all right."

TG: Matt don't pay attention.

PL: Damn, son.

TG: Matt don't pay attention.

PL: Fuck, man. I should have paid more attention myself but I thought he was, because he looked at it and it was in a [UI], you know? Ah this shit got me sick right now, I don't know what to do. I don't what to do. Beat this guy I will lose out forever on him. He won't come back, beat him now.

TG: Tell him you got beat.

PL: Huh?

TG: You can tell him you got beat.

PL: Yea but how do I know I got beat? I mean, I'm gonna give it to him just like this.

TG: [UI] be like, yo...[UI]... I'll be like, "get the-"... Just start calling somebody, like, "yo, ... they aint answering the phone now."

PL: All right. If I call you and I be like, "yo, da da da", pretend like you don't know. Like so then pretend like you know if anything if I call you, like, something like that, all right?

TG: [UI] might see my number.

PL: No, nobody's seeing your number. Nobody's every gonna get your number. Don't worry.

TG: All right.

PL: Just play it off for me, because you know how to play it off... All right, I'll talk to you later. I'll meet him I guess.

TG: All right.

24. I understood from these conversations that LAMPRINOS had retrieved narcotics from MATTHEW GREENE, and that that the narcotics product was not as

LAMPRINOS expected. LAMPRINOS and TIMOTHY GREENE discussed on this call whether LAMPRINOS should attempt to “re-cook” the narcotics powder to try to create a rock, but how he would potentially lose some of the product weight. (In my training and experience and knowledge of the investigation, the term “cook” in the context of narcotics refers to applying heat to powder narcotics to turn it into rock form. The term “re-cook” would be a reference to trying to cook it again to salvage the narcotics into a better form.) TIMOTHY indicated that his son MATTHEW must not have been paying attention during the drug transaction. On this call, LAMPRINOS conveyed that he was supposed to be selling the product but was concerned about selling it given its current quality. TIMOTHY advised LAMPRINOS to just sell it and act like LAMPRINOS does not know anything is wrong with the product.

25. TIMOTHY GREENE and PETER LAMPRINOS continued this conversation later on March 7:

PL: Yeah bro, you came up on me this week?

TG: No, (IU), I told you I'd give it back to you, you just had to give me back what I paid on the other thing.

PL: I know man, I lose, I lose more that way.

TG: Yeah, but you could have re-cooked the hard... I would have re-cooked it with you.

PL: Yeah, I still lose, you said it yourself.

TG: No, we all would have lost.

PL: I know, no not really, you came up right now.

TG: How?

(crosstalk)

PL: Why?

PL: You just got fuckin.

TG: I dont want it for myself.

PL: You got 10 (IU) for 300.

TG: I dont (IU) this shit.

PL: Get rid of it.

TG: I am. I'm giving it back to the dude.

PL: And I'm thinking like yo, this shit smell different man. This shit smell different. And I'm like yo, damn. This shit smell different.

TG: You couldnt tell that it had crystals in it?

PL: I didn't see, I wasn't looking like that. I just realized that it smelled different. And I was gonna call you and be like why does it smell like that, but then I was like let me just get this done because this guy keep on calling me. And damn bro.

TG: Yeah.. You did a stupid move man.

PL: Yeah I hope this guy dont realize nothing and he calls back.

TG: That's why I wanted you to come back here. So I could show you which one was which.

PL: Yeah but I was just scared to be over there, you know what I mean. I didnt want to be over there.

TG: Yo my man, if you see me there, it's Gucci.

PL: Yeah.

TG: When you don't see me, you don't see me, you know it's not Gucci.

PL: I was just nervous.

TG: He going to get over on me now.

PL: Huh?

TG: He's going to get over on me now.

PL: Who's going to get over on you?

TG: (IU) he's not going to give me what this is worth. He just going to give me 10 grams hard.

PL: Nah tell that nigga you dont want it and tell him to give you 20...and keep the rest.

TG: Nah, he's not.

PL: Tell him Matt made a mistake, tell him Matt made a mistake

TG: I told him that. But he just told me too "Yo I dont know what you did to it. I dont know if you did anything to it."

PL: Yeah right, c'mon.

TG: You understand what I'm saying?

PL: Yeah I understand, but you gotta work with him. Yeah I know what you mean. Yeah.

TG: Yeah, we know we're coming out with it. We know we're breaking even.

PL: This is fucked up. I'm losing. I'm not breaking even.

TG: I'm calling you, I'm calling you, and your phone's going straight to voicemail.

PL: I know, but this guys calling me at the same time and my phone is on silent

on top of that I didn't hear it.

TG: I'm sitting at home thinking, I hope Pete didn't do it yet. I hope he didn't do it yet.

PL: I crushed the first one and I'm like why does it smell like that? But it's brownish.

TG: It's usually greyish.

PL: Yeah it was greyish-brown, so I'm like I guess it is this. You know. And then I'm smelling it, I'm like why does it smell like this though. That's probably some poppy shit. That's what I was thinking, you know.

TG: Usually, usually the other one has like a, like a vinegar smell to it.

PL: Yeah different kind of smell. .Hopefully, hopefully I don't get fucked over in the long run and this guy don't realize shit.

TG: You should have called me, and blocked my number. Don't put my name in, just dial me blocked. (IU) Do one of those (IU) calls.

PL: No don't worry, if I call you and I just (IU) he's gonna (IU)

TG: Yo, my man, I'm saying, I don't know what you talking about nigga... you know?

PL: Or, be like, yo it is what is it, see me when you see me. Make it look like I got beat.

TG: All right, I'll do it like that.

PL: Yeah. Yo it is what is it. I gave you what it is.

TG: You don't like it, you go fuck yourself.

PL: All right, whatever, I'll holler at you another day.

TG: My bad kid. I told you to come back here, didn't I?

PL: Yeah, I thought it would have been easier that way. I guess it made it more difficult.

TG: Yeah, I had the feeling.

PL: Yeah, all right whatever, we know for next time. Hopefully do better the next time you know.

TG: All right.

PL: All right.

I believe that in this conversation, LAMPRINOS and TIMOTHY GREENE were discussing the narcotics that MATTHEW provided, and how it looked and smelled different from what LAMPRINOS usually received from GREENE. They were discussing what LAMPRINOS should do with the product. GREENE advised LAMPRINOS to try to sell it. They also agreed that they would watch out for this issue with the product supply

during the next transaction. LAMPRINOS subsequently sold this product to CC-1, representing that it was heroin. CC-1 provided the narcotics to law enforcement. The narcotics tested positive for cocaine.

26. Intercepted calls between TIMOTHY GREENE and CARLOS BERMUDEZ, also known as “Carlito,” consisted of conversations in which TIMOTHY GREENE provided narcotics to BERMUDEZ. BERMUDEZ then sold those narcotics to street-level customers, after which BERMUDEZ paid GREENE back cash from the customers. The intercepted calls revealed that TANIA AGUILAR participated in these transactions with BERMUDEZ (and other customers and street-level sellers) and assisted TIMOTHY GREENE in these sales. For example, on April 17, 2017, BERMUDEZ called GREENE to ask if GREENE needed BERMUDEZ “working” and GREENE indicated he would be “picking up work tonight,” so BERMUDEZ can “work” the next day. Based on my training, experience and knowledge of the investigation, I believe that GREENE was indicating that he would be picking up narcotics and then would distribute some to BERMUDEZ the following day to sell. During a call on April 18, BERMUDEZ told GREENE “somebody is out here for some hard,” which I believed to be a client seeking rock form narcotics. GREENE replied he was coming “right now.” During a call on April 19, GREENE told BERMUDEZ there was a girl outside, and BERMUDEZ said he knew the girl “wants seven,” which I also believe to be a reference to a narcotics customer seeking a specific quantity. They conducted similar conversations on most days of April and May, often using such code as “3 dogs,” “3 bunnies,” “210 cookies,” “food,” “hard,” “26 doves”

and “pieces,” all of which I believe were references to narcotics and amounts. GREENE and BERMUDEZ also made frequent reference to being “careful” because of cops or the area being “on fire” which evidences that they were in possession of narcotics on those dates.

27. Intercepted calls, surveillance and corroborating evidence also established that TIMOTHY GREENE conspired with MATTHEW GREENE, TANIA AGUILAR and CARLOS BERMUDEZ, also known as “Carlito,” and DONALD LNU, also known as “Dot,” to receive, package and sell at least 100 grams of heroin to customers over the course of the conspiracy.

28. Additionally, on May 4, 2017, TIMOTHY GREENE told BERMUDEZ to go meet TANIA AGUILAR, and to “bring her some sandwich bags and she’ll make you a package.”⁶ During a call later that day, AGUILAR and GREENE discussed how much AGUILAR should “bag up for” BERMUDEZ that day. GREENE stated, “Just take all that powder that’s left there...that rock.” AGUILAR asked, “Like 10, 20, how many am I doing? ... How much you trying to give him?” GREENE replied, “52 pieces,” to which AGUILAR stated, “That’s like 1,000 dollars. Right?” BERMUDEZ, GREENE and AGUILAR had additional conversations such as these, in which GREENE spoke to BERMUDEZ instructing him to meet AGUILAR to pick up heroin and then GREENE and AGUILAR conducted calls about “rock” or “powder” form, how much to package, and other details. During one such

⁶ In exchange, BERMUDEZ obtained suboxone for AGUILAR (AGUILAR frequently requested suboxone and oxycodone from GREENE on intercepted communications, which GREENE subsequently obtained for her from other suppliers).

call, AGUILAR indicated that she knew what she was doing, and usually could just estimate quantity by eye.

29. On May 5, 2017, GREENE and TANIA AGUILAR had the following conversation:

TA: ... Um you remember the piece you told me to take out?

TG: Yeah.

TA: That specific rock.

TG: Well half of a rock, yeah.

TA: Well Carlito took 700 out of here.

TG: Okay how 'bout the powder? Right?

TA: Yeah he took the powder in there too... No! I didn't put the powder from the bags?

TG: Yeah.

TA: That you told me. I didn't do that. I just took at the rock but he didn't want it because it was bad. It started to storm ...

....

TA: So uh the rock that I took out took seven...

TG: Okay.

TA: It was only seven.

TG: You said 8 to 8.

TA: 900 in the till yeah. You got altogether bagged up yeah. Yeah you still have three. You still have pieces. Carlito gave me a hundred (UI) right? ...

TG: Right.

TA: And that's worth a hundred ... a hundred and fifty, right?

TG: Right.

In my belief, on this call, AGUILAR and GREENE were discussing how much rock form narcotics AGUILAR gave to BERMUDEZ, and how much cash BERMUDEZ gave to them. AGUILAR was also informing GREENE of how much narcotics and cash remained in the stash location.

30. Intercepted calls between TIMOTHY GREENE and DONALD LNU, also known as "Dot," contained additional references to bagging up the heroin for sale, down

to the detail such as using rubber bands, bags and spoons to parcel out the narcotics.

DONALD retained some of the narcotics he helped GREENE prepare, which I believe to be remuneration for his assistance with bagging up the product.

31. For example, just minutes after speaking with SAMUEL LIRIANO on April 17, as outlined above, GREENE called DONALD and they had the following conversation:

D: What's up, my brother?
TG: Yo. [UI]
D: What's up, poppy?
TG: I'm picking everything up now. The thing is I don't have the [UI] down this way.
D: You bringing everything down?
TG: I don't got the gridiron, though.
D: All right, you don't need that bro. Don't worry about it. I can do it by hand.
TG: All right, all right [OV] I'm going to 43rd and 5th right now to get the... the... the sandwich bags and the spoon. And I'm gonna meet the guy and [UI] be on 58th Street.
D: What time do you want me to be there?
TG: Get there now.
D: Go over there now?
TG: Yea, yea, yea.
D: All right, I'm on my way.

Based on my training and experience and knowledge of this investigation, I believe that GREENE was going to pick up the narcotics from LIRIANO, and also pick up plastic bags and a spoon to break down the narcotics into retail amounts for sale on the street. GREENE then indicated that DONALD should meet him for these purposes. In subsequent conversations, GREENE told DONALD that he forgot rubber bands and asked DONALD to go to the 99 cent store. I believe that the rubber bands would be used to tie off the plastic

bags containing street-sale quantities of the narcotics that GREENE and DONALD were packaging.

32. During another April 17 call, GREENE and DONALD had the following conversation:

D: Yo.
TG: Yo, how's it going kid?
D: It's going. It's going. It's going. This [UI] is killing me, but...I'm working it. I'm working it. [OV]
TG: Yea different store, different spoons.
D: Yea. I like the one from. I like the one from right there...
TG: Yea, it's like cut on a slant where you can scoop it.
D: Yea, man. A little bit more, like flexible. So I can bend it, you know what I'm saying?
TG: Right, right, right, right.
D: It's a little...I'm working it. I'm working it.
TG: How's the product look?
D: Ahh, better than the last batch, I'll tell you that much.
TG: Yea? OK.
D: Yea, definitely it's better, than the last batch.
TG: Those bags are too big or they are the right size?
D: Nah, nah, nah, they good. They good.
TG: All right.
D: They perfect. They perfect.
TG: All right. All right.
D: I'm almost there. I let you know when I'm done.

Based on my training and experience and knowledge of this investigation, I believe on this call, DONALD was indicating to GREENE that the spoon he is using to measure out the products is a different type which makes packaging the product more difficult. They discussed the quality of the product, and DONALD indicated that "its better than the last batch."

33. Similarly, during a call on April 20, GREENE asked DONALD to “help me do that thing,” and Donald agreed. I believe this is a reference to breaking down the drugs for retail sale. During the same call, GREENE and Donald had the following conversation:

D: Yo
TG: Yo, what up, Donald?
D: Four (4). Only four (4) and three (3) loose
TG: All right, all right. Take the three (3) loose for yourself.
D: All right, I'm gonna come over right now.
TG: All right, I'm gonna wait for the other guy to come now, he should be here in a little while.
D: All right, you want me to wait?
TG: Yea, yea, yea. Just come with Mad Dog I don't got nothing.
D: All right....Oh, yea cause you don't got. OK bye.
TG: Bye.

Based on my training and experience and knowledge of this investigation, I believe that in this call GREENE and DONALD were discussing quantities of narcotics, and GREENE was indicating that DONALD could keep a certain quantity. GREENE also indicated that he was waiting for the “other guy,” another supplier to come by with more narcotics.

34. During another call on April 20, GREENE had the following conversation with DONALD:

TG: Yo. [OV]
D: Yo.
TG: What's up, cuz?
D: What you want me to do? You want me to hold onto this?
TG: Yea, hold onto it. Nothing's happen right now.
D: All right, cool. You need me to come up to see you or anything or need me to see anybody tomorrow during the day or whatever just call me bro.
TG: All right. [UI]
D: All right, my brother?

TG: All right, my brother.
D: All right, be careful.
TG: [OV] What you said it was 27, right?
D: Yea, got 27 and 3 loose.
TG: The 1 and 3 for yourself.
D: No, bro, no, no, no, n-gga, no.
TG: Nothing wrong with it. Just take the 3, I got shit.
D: Yea, I, I, I do that, that's it, bro, we good.
TG: All right. [UI]
D: All right.

Based on my training and experience and knowledge of the investigation, I believe that on this call, Donald was asking if he should hold on to the narcotics and indicated that he had "27" and "3 loose," as references to certain quantities. GREENE indicated that Donald could keep a certain amount for himself and that if Donald needed GREENE to come by to give him a call. On April 21, GREENE and Donald exchanged texts about Donald bringing "10" of an unknown quantity of narcotics to GREENE on "58." Based on my knowledge of the investigation, I believe GREENE was asking Donald to bring "10" of the aforementioned "27" quantity of narcotics.

35. Intercepted calls from PALAYOTIS LAMPRINOS's phone and additional transactions with CC-1 revealed that LAMPRINOS was also engaged in other types of narcotics transactions including, but not limited to, cocaine, prescription pharmaceuticals of several types, and crystal methamphetamine.

36. Intercepted calls, physical surveillance and other corroborating evidence revealed that PALAYOTIS LAMPRINOS, also known as "Peter," engaged in a conspiracy to have pure crystal methamphetamine shipped from California into New York, on at least two

occasions. Co-conspirators SERGIO GUERRERO and KYLE SAMMUT participated in these transactions. Specifically, GUERRERO, who is based in California, shipped the crystal methamphetamine from California to New York. On at least one occasion, SAMMUT acted as the middle-man in New York. As outlined below, SAMMUT received a narcotics package and transferred payment to GUERRERO; he then transferred the package of methamphetamine to LAMPRINOS, who in turn sold the methamphetamine to customers, including to GEORGE ECONOMOS, in New York. The co-conspirators contemplated and carried out at least two transactions which totaled over 50 grams of pure methamphetamine.

37. During a call on March 8, 2017, LAMPRINOS and KYLE SAMMUT had the following conversation:

KS: Yo whats up?

PL: Yo.

KS: What are you doing?

PL: Where are you at?

KS: I'm working.

PL: You're working?

KS: Yeah?

PL: Are you busy right now?

KS: Yeah I'm doing a pick up right now.

PL: Somebody's in the car?

KS: No, I'm about to pick her up, she just called me and said she's around the block and wants me to meet her around the block, so (UI)

PL: So I talk to you real quick?

KS: Yeah, what's good?

PL: Um, if you, if I make an order right now how quick will you have it by?

KS: Right now? What time is it? It's ten fifteen? Ugh, what's today

Wednesday? It'll probably be here Friday. Usually you have to get the money out there, because of the time difference you know what I'm saying, their four hours behind.

PL: All right let me see what this guy says, if he says Friday is going, I'm going to do it when we do it.

KS: All right, well I mean, if I, if I text the guy it be tomorrow, but it will definitely, definitely be Friday, if you give me the, Friday morning by 10 AM.

PL: Definitely be here by Friday, no matter what right?

KS: I could see if he would do it for tomorrow but I highly doubt that we got it in in time. It's like very late in the night I don't think he could send a package at this time.

PL: All right he'll send it like express or something no?

KS: I mean like, he has the hook up, like, he is its at FedEx with a person he knows that works there, and then he ya know. As soon as people call and make orders, they just ship it out. They don't sit there in like the place. The kid just brings it into work with him and its ready to go and they give you a call. But, he gets off work at like 7:00 PM, here (UI).

PL: Um, all right. So, I'm let you know. I'll see what's going on. I'm a call you right back.

KS: Oh.

PL: I'm calling you back when you're free.

KS: I'll call you when... (UI)

PL: All right, bye.

38. Based on my training, experience and knowledge of the investigation, I believe that on this call LAMPRINOS was asking SAMMUT about the timing of placing an order. SAMMUT indicated that if LAMPRINOS placed an order "it" would arrive to LAMPRINOS by Friday. SAMMUT indicated that there was someone who would send a package with the order to LAMPRINOS and that he has a connection at FedEx who assists with shipping "it." In my belief, SAMMUT was referring to a narcotics supplier who would prepare the order for LAMPRINOS and then use his FedEx connection to ship the narcotics safely to LAMPRINOS.

39. During a call on March 22, 2017, LAMPRINOS and SAMMUT spoke about an incoming shipment again. LAMPRINOS stated, "you tell me theres enough. You got a lot over there, right? . . . I need a zip. I want a zip." SAMMUT replied, "I don't know

what that means Peter. How many grams?" LAMPRINOS replied, "you know. The whole thing, the whole thing.... I cant wait the whole day for it to come in the next day. I need it right now, 'cause I have a customer right now." SAMMUT told Peter to "come" "and I'll bring it to you." LAMPRINOS stated, "Listen, I got somebody, they want ... a half. I told them 500 for a half, so I want to get the whole and keep half for me at least, you know. But, he wants his half today. Can you at least front me his half today, so I can give it to him and get the money? . . . And then you would, the shipment come in, you get.... All I need is 14 to give him." SAMMUT replied, "I don't even have 12. . . I'm about to bag up what I have to drop off after I see you. ... I just got two calls." The rest of the conversation transpired as follows:

KS: Peter, Peter, Peter... Listen to me.

PL: I'm listening.

KS: Why can't he just, like, he's not going to need that much. Why can't he just take a ball and then tomorrow, can (UI) give him the rest? Why does he need the half, the full amount the day of. That's not how that works. Especially, when you're buying quantity, where he shouldn't be saying that. I can give you a ball for him for today.

PL: Nah.

KS: Plus tomorrow, so he'll get, he'll get 3.5 today and then tomorrow you give me 10.5s.

PL: Uh, 'cause tomorrow it'll be here, right?

KS: What's today? Wednesday? Yeah, it'll be here at 10:30 in the morning. No later than 10:30 in the morning. Worst case scenario, like which never happens...

PL: Let me figure it out and I'll call you back.

KS: All right, but Peter don't get so, you get a little ahead of yourself, I'm trying to help you make money as well...

PL: I know.

KS: Tell him a ball is 3.5 grams. There's no way, especially if he's doing this as a new customer, that like he's going to go through that much in one night. And by the time he's done with that ball, if he smokes it today, it'll be...

PL: He's hustling it, he's hustling it.

KS: All right. He'll have enough for tonight (UI)

Based on my training, experience and knowledge of this investigation, I believe that on this call, LAMPRINOS and SAMMUT were discussing the quantity of narcotics that LAMPRINOS's customer wants versus what SAMMUT is able to supply at that time. They elaborated that SAMMUT could provide a "ball" which is 3.5 grams, and that then he could provide the rest at a later time, after a new shipment comes in. LAMPRINOS indicated that the reason his customer wants more than a ball is that the customer is "hustling" the narcotics, i.e., reselling them himself on the street.

40. LAMPRINOS spoke with SAMMUT again on March 23, regarding what I believe to be the same prospective narcotics transaction:

KS: What are you doing?

PL: What's up buddy?

...

KS: (UI) I text you the other day.

PL: All right, so I'm gonna read it.

KS: (UI) just read the text.

PL: (UI) read the text.

KS: It's you thinking about you giving the (UI) this whole time. (UI)

PL: What? You said, what do I thinking about giving you out of this whole deal?

KS: Yeah.

PL: I got you (UI). We're going to talk about it once everything comes in. We'll take care of it together (UI). Huh?

KS: Peter, I'm getting something out of this, this delivery tomorrow. It's not done.

PL: Yeah. That's what I'm telling you. I'm te...of course. I'm gonna give you something. What do you think this is a... (OT)

KS: ...to do something. How about that?

PL: What do you think, I made this deal...no, no, don't be like that bro. I mean come on, this is my first.

...

This is my first deal ever I made, which you're like, I'm trying to make it happen, so it can be more often. Like, that's like you gonna kill me here completely? I'm not gonna give you something you're gonna not want. I'm not gonna even (UI) you anything. I'm gonna make you pick what you want, but just don't count (UI). You know what I mean?

...

PL: I'm not going to tell you, an eighth of bud or whatever, you know. I'm gonna tell you, what do you want. I'm not going to force nothing on you. I'll let you pick what you want, but don't tell me to take, like, out of my pocket too much where I can't eat for the week, a month, whatever. You know?

KS: Bro, we'll talk. (UI)

PL: We'll talk Friday. We'll take care of it face to face. I don't want to talk on the phone.

KS: Ok, all right.

PL: We're buddies a long time, I mean we can take care of that ourselves.

Based on my training, experience and knowledge of the investigation, I believe that LAMPRINOS and SAMMUT were discussing the terms of the deal, and how they would discuss it on Friday (March 24) when the delivery arrives. I believe that subsequently, a narcotics shipment arrived to New York City. Related to that, on March 23, 2017, KYLE SAMMUT wired \$500 to SERGIO GUERRERO in California using MoneyGram.

41. LAMPRINOS next corresponded with GEORGE ECONOMOS about providing narcotics to him from that shipment. Specifically, during a call on March 29, 2017, LAMPRINOS spoke with GEROGE ECONOMOS as follows:

PL: Well, umm, I have the uh "T."

...

PL: I have more, I have more "T" if you want, other than that.

GE: Yeah, yeah I might - are you going to be around tonight? Because I might - I dont know. I might do that tonight maybe, or -definitely coming up.

...

PL: Yeah, haha. Um, just call me when you're over here. An hour and half is fine.

GE: Ok, I'll see you in (UI) then.

PL: All right later man.

GE: All right thanks, bye.

Based on my training, experience and knowledge of the investigation, I believe that on this call, LAMPRINOS was informing ECONOMOS that he had "T" which I believe is code for crystal methamphetamine, after which they agreed to meet up. I believe this referred to crystal meth because based on my training and experience, "T" is an abbreviation commonly used on the street to refer to "tina," which is another shorthand street term for crystal meth. Pole camera surveillance confirmed that they did in fact meet, at which point I believe a narcotics transaction took place.

42. LAMPRINOS and ECONOMOS spoke again on April 6, 2017, referring to the prior deal, as follows:

PL: You took fourteen, you took fourteen (14) last time, right?

GE: Yes.

PL: And you paid nine, nine-eighty (980) (UI) right?

GE: (UI) something like that (UI).

PL: And then you gave him a little extra for some more, right?

GE: Yup, that I never got.

PL: Which you never got, exactly, well, this time you, instead of getting fourteen, I'm gonna give you twenty-eight (28).

GE: Yes.

PL: And you pay fourteen (14).

GE: Yeah, yeah, that's what he's saying, too, the same thing, (UI) that's what I want, that's what I want, that's what I'm looking for.

PL: Who said that, who said that?

Based on my training, experience and knowledge of the investigation, I believe that this was a reference to a certain quantity of crystal meth that LAMPRINOS provided to ECONOMOS, and a price for it. In the investigation and monitoring the wire interception,

law enforcement determined that “twenty-eight” is a reference to grams – twenty-eight grams is the equivalent of one ounce. We also determined that, in our belief, “fourteen” is a reference to half an ounce. Based on my training and experience, an ounce (or twenty-eight grams) is a common measurement for methamphetamine. I understand that \$980 is a reference to a dollar amount, just shy of \$1,000. ECONOMOS, in my belief, then agreed that he wanted twenty-eight grams, but for the price of fourteen grams, based on their earlier transactions. They had a similar conversation on April 7 which I also believe refers to the same type of narcotics because of the price range (\$700) and quantity (fourteen grams) discussed:

GE: What's up bro?

PL: Hey, what's up, man. Listen, this guy told me he's got like 14 left of that, um and if you want it, just come up with 700 and you can have it, 'cause um after that he's going back to normal price.

GE: all right--hold on a minute--

PL: So if I was you, I would take it--

GE: Yeah, I need to find out if I got the money -- turn around--

PL: So I have what I owe you and um if you want, come with another 700, it's a good deal man, it's not gonna be here for long, this deal.

GE: All right--

PL: You could close [?] or--?

GE: No, I just left, I gotta turn around and get the money.

PL: Yeah, take care of that, and, um, call me when you're here, I got everything ready.

GE: All right, thanks.

PL: All right, bye.

GE: Bye.

43. The investigation has revealed that another shipment of crystal methamphetamine and subsequent round of transactions took place between April 17 to 18, 2017, April 24 to 26, 2017 and May 1 to 3, 2017. Specifically, on April 17, CC-1 requested to purchase crystal methamphetamine from LAMPRINOS. Following that, on a

call on April 17, LAMPRINOS and SAMMUT had the following conversation:

PL: I couldn't talk to you before because he was sitting right next to me in the car.

KS: (UI)

PL: All right. So um, we're gonna get the two (2) for eight (8).

KS: Okay.

PL: And, um, I'm only giving him one.

KS: Okay.

PL: And then the other one me and you deal alone (overtalk).

KS: All right, so I'll be right down. I'm coming down. Go downstairs I'll be right down.

PL: All right, I'm across the street from 8th Avenue.

44. Based on my training, experience and knowledge of the investigation, I believe that on the call outlined above, LAMPRINOS indicated that he wanted to order "two," which I believe refers to a quantity of crystal meth for a price, "8." LAMPRINOS indicated he would give "one" of that quantity to "him," which I believe to be a reference to CC-1, and then would keep the other as between LAMPRINOS and SAMMUT.

45. Also on April 17, 2017, video surveillance at a FedEx location in California depicted SERGIO GUERRERO shipping a package. (This is consistent with earlier conversations held by the co-conspirators that reference a FedEx "connection" who assists in shipping the crystal meth from California.) That same day, KYLE SAMMUT wired \$800 to SERGIO GUERRERO, in California, using MoneyGram. I believe that the \$800 corresponds to the "eight" price referred to in the call between LAMPRINOS and SAMMUT above.

46. On April 18, 2017, LAMPRINOS provided one ounce of crystal meth to CC-1 in exchange for \$1,000 U.S. dollars (which CC-1 provided to LAMPRINOS on April

17). This correlates with the above referenced conversation in which LAMPRINOS told SAMMUT that he was "only give him one," and would keep the other one. I believe that this means LAMPRINOS had ordered 2 ounces of meth from GUERRERO, for \$800 and would provide 1 ounce of it to CC-1. CC-1 in turn provided the crystal methamphetamine to law enforcement. It was in a sealed plastic bag and in crystal rock form; it tested positive for pure crystal methamphetamine.

47. I believe that LAMPRINOS sold the other ounce of crystal meth to GEORGE ECONOMOS. On April 19, LAMPRINOS called ECONOMOS to ask if ECONOMOS wanted any of "that other stuff." ECONOMOS indicated that he did, and would need that. LAMPRINOS replied that the "stuff" was available "right now" so ECONOMOS did not even have to wait for it. In my belief, this corroborates that LAMPRINOS was already in possession of the meth and did not have to wait for it to ship from California, contrasted to the March deal outlined above. Later on this call, ECONOMOS indicated that he would come on April 21, and would want "one," "the whole thing," which I believe is another reference to one ounce of crystal meth. LAMPRINOS indicated that he would have it ready for ECONOMOS. LAMPRINOS and ECONOMOS spoke again on April 21 and I believe a narcotics transaction took place thereafter.

48. On April 24, SAMMUT wired \$800 to SERGIO GUERRERO using Western Union, which is consistent with the amount wired for previous orders of 2 ounces of crystal meth. SAMMUT wired another \$700 to SERGIO GUERRERO using Western Union on April 26, 2017. I believe narcotics were shipped on both of these occasions, based on the

investigation and my training and experience. On April 26, LAMPRINOS called ECONOMOS and apologized for the "delay." LAMPRINOS indicated to ECONOMOS that his contact was unable to make the delivery time for tomorrow (April 27) but that the "contact" will send it tomorrow (April 27) and "they" will receive "it" on Friday morning (April 28). On April 27, LAMPRINOS called SAMMUT and asked "Yo did he tell you anything? Did you get anything?" ... "Did he talk to you about anything going through?" SAMMUT replied, "Don't have it Peter... I cant do anything about it. Its coming when its coming." LAMPRINOS replied, "No I know that you said tomorrow but I just want to make sure that he did it and didn't forget it." In my belief, LAMPRINOS is ensuring that the package from California with the meth has been sent and will be received by the time LAMPRINOS told ECONOMOS he could supply it. Subsequently, I believe that the shipment arrived based on the below activity between LAMPRINOS and ECONOMOS.

49. On April 28, LAMPRINOS and ECONOMOS spoke several times to coordinate meeting up, at which point I believe they conducted a narcotics transaction involving the crystal meth. They also had a specific telephone conversation about quantity and price, as follows:

PL: What I was gonna say was, um, you're going to take 21 right now 'cause I owe you seven, right?

G: Yeah.

PL: So um, why don't you just take the whole 28?

G: I didn't bring that much money, I don't think. How much is it? Whadda I gotta have? Tell me what I gotta have?

PL: Uh, whadda you need to have? I'll do it right--

G: What do I need to have? How much money do I need to have?

PL: Uh, what were you saying?

G: How much money do I need to have for that? How much--what do I need to have for that?
PL: All right. Um. So. This time--remember last time I told you I had to charge you a little more expensive.
G: Yeah.
PL: I'm only going to add five dollars on to it, that should cover me for what he added on to me.
G: Mh-hmm.
PL: It'll be 75 instead of 70.
G: Right.
PL: So um. It's going to be...I really...Um... 75... 1575 you gotta bring.
G: Yeah, I don't have that much, all I got is 1100 on me.
PL: You have anything after the 14?
G: Yeah. Mmm-hmm.
PL: All right, ummm...
G: You want to spot me, bro, you want to front me, you know I'm good for it.
PL: 1050.

Based on my training, experience and knowledge of the investigation, I believe that this conversation regards the pricing on the crystal meth. Given that SAMMUT wired \$700 to SERGIO GUERRERO, this would be an uptick in price as the narcotics moved down the chain. In my training and experience, as each middleman sells the narcotics down the chain, they add a markup so that they make money on those narcotics. Based on my knowledge of the investigation, I believe that is what ECONOMOS and SAMMUT are discussing here. Calls indicated that they met in person soon after.

50. ECONOMOS and LAMPRINOS spoke again during a call on April 28, as follows:

GE: Hello.
PL: Hey man, I wanted to ask you, how quick do you get rid of that?
GE: Why?
PL: So maybe I can have it ready for you for next time instead of making you wait, you know?

GE: [Unintelligible (UI)] quick, it'll probably be quick, it'll probably be like, uh, I don't know, maybe Tuesday.

PL: Tuesday you'll be done, you're gonna want more Tuesday?

GE: Probably.

PL: Ah, what 14?

GE: Yep.

PL: All right. All right, sounds good. I got you, I definitely got you by Tuesday, a hundred percent.

GE: All right, awesome.

PL: All right, bye.

Based on my training, experience and knowledge of this investigation,

LAMPRINOS was asking ECONOMOS if he wanted to be resupplied by Tuesday, which would be May 2, 2017. ECONOMOS indicated that he probably would have sold everything by then, and probably would want a certain quantity, "14" (which correlated with earlier references to fourteen grams, or half an ounce). LAMPRINOS indicated that he would have it for ECONOMOS on Tuesday.

51. On May 1, at the direction of law enforcement, CC-1 asked LAMPRINOS to supply methamphetamine again while they were meeting in person. Afterwards, LAMPRINOS called SAMMUT to place another order. At that time, SAMMUT informed LAMPRINOS how to place orders for crystal meth directly himself, as follows:

KS: Yo, I'll just tell you what to do, all right? [UI]

PL: OK. Um, what do I do? Ah, ah, ha, what do I do? Give him an address?

KS: You [UI] You just say SERGIO GUERRERO. I'll text you the spelling of his name.

PL: All right, spell, text me the spelling of his name.

KS: And it's to California. [OV] Whatever the amount is.

PL: California. Whatever the amount is...

KS: And you're gonna like direct send, like make the cash available right now.

PL: Um, I'ma send 700.

KS: Where are you at? Are you at Western Union?

PL: Yea, I'm across the street. I'm sitting in the car. So, um, ah, money in minutes, right? Money in minutes, right? Money in minutes. I check the box that says money in minutes.

KS: I guess so, yea.

PL: That's direct, it's straight, right away, he picks it up one second. All right so I'm sending him 700.

KS: No I think it's 800. But he's not texting me back. [UI]

PL: [UI] you know what I mean where it's coming from, right?

KS: Yea, just put your name, put your information.

PL: Yea, I'm putting my information.

KS: You have to.

PL: The same thing that's in my ID I'm putting.

KS: All right, I'm gonna give you his number. And when you get the reference receipt. Have them circle the reference number if they don't do it. Usually they do that for you. Take a picture of it. And when you get your number, you text that to him say, "hey, what's up this is Peter, Kyle's boy. He told me I could send this pack....a.. I could put in an order with you. If I send the money can I get the tracking number." Act like you already...already know, know what I'm saying?

PL: All right.

KS: After you get the tracking number?

PL: Can you find out if he's getting in touch with you right now?

KS: That's the thing, he hasn't answered me yet. Like, I texted him like three times.

PL: All right, send me the texting of his number, so I could at least write it...

KS: Yo, listen. [UI] You need to listen. I wouldn't send the money yet. Like I would wait until I hear from him. You feel me?

PL: I know I am waiting. But like I'm in a jam right now. [OV]

KS: [UI] He hasn't answered me yet, and if I were you, I wouldn't put the money out yet.

PL: I'm not putting it out until he's answering.

KS: [UI] Until I get a confirmation.

PL: Yeah, yeah.

Based on my training, experience and knowledge of this investigation, I believe that this call explains how the system of shipment works – it confirms that SAMMUT typically placed the order with SERGIO GUERRERO, and wired the money to him. Then, SAMMUT typically received the tracking number for the FedEx package back from

GUERRERO. SAMMUT also confirmed that the amount usually paid to GUERRERO is \$700 or \$800.

52. Later on May 1, 2017, LAMPRINOS and SAMMUT spoke again by telephone about placing the order for meth with GUERRERO, as follows:

PL: Yo, after I sent him my info he never answered back. I don't know, like, he never told me it's out there yet or nothing. I don't know why. [UI]

KS: I mean, what time did you speak to him. Did you get the money in before 8?

PL: I got the money in before 8, yea, and he, he, he texted me he's like "where do I ship to" and I sent him the info but then he stopped answering.

KS: So be like let me get that tracking number whenever you can please. I really appreciate it.

PL: I just texted him I said, "yo, is everything OK?" [OV]

KS: I can't do that. Like...[OV]

PL: Does he usually disappear for a while then answer?

KS: No, I mean that's a new thing he's doing.

PL: He did it to you before?

KS: Remember the last time, I didn't hear from him. And like the shit didn't come. Like. It's not usually like that but, this week he's [UI].

PL: All right, I'm just asking, because I want to make sure everything's good. You know I'm going to be waiting tomorrow. And what time should I be waiting by...because...

KS: Why you acting brand new?

PL: Cause it's my you know...ah...it's complicated.

...

PL: I'm gonna talk to you. I'm gonna text him.

Based on my training, experience and knowledge of this investigation, I believe that on this call, LAMPRINOS indicated that he wired money to GUERRERO before 8 p.m. Western Union records indicated that LAMPRINOS did in fact wire \$800 to SERGIO GUERRERO on May 1, 2017. Additionally, on this call, I believe that LAMPRINOS

indicated that he has not yet heard back from GUERRERO about the package tracking information or timing. I believe that then SAMMUT explained that recently GUERRERO was slow to respond and then the package was delayed. LAMPRINOS indicated that he was asking because he was going to be waiting for the package the next day and wanted to know what to expect. LAMPRINOS attempted to contact SERGIO GUERRERO at the phone number associated with GUERRERO's Western Union transactions on May 1, 2017, but the call was not answered. On May 3, 2017, during the morning hours, LAMPRINOS exited his apartment and looked around the area several times; at times he stood in the door frame of the vestibule entry to the building, looking around the street. At around approximately 10:12 a.m., LAMPRINOS exited his apartment and looked around, then reentered the building. At approximately 10:17 a.m., a FedEx delivery person entered the small vestibule inside the entry to LAMPRINOS's residence. The delivery person exited within seconds. In my belief, based on my training, experience and knowledge of the investigation, LAMPRINOS appeared to be waiting for the package that morning, and the FedEx delivery person brought that package to LAMPRINOS. I also believe this because later on May 3, LAMPRINOS provided one ounce of crystal meth to CC-1 in exchange for \$1,000. This confirmed that LAMPRINOS had in fact received a package of crystal meth. CC-1 provided the crystal to law enforcement and it tested positive for pure methamphetamine.

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It is respectfully requested that this Court seal all papers submitted in support of this application for an arrest warrant. Sealing is necessary because, given the confidential

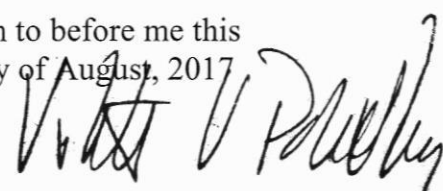
nature of this investigation, disclosure would severely jeopardize the investigation in that it might alert the target of the investigation to the existence of an investigation and likely lead to the destruction and concealment of evidence and flight of the target.

WHEREFORE, your deponent respectfully requests that the defendants, TIMOTHY GREENE, MATTHEW GREENE, SAMUEL LIRIANO, FNU LNU #1, also known as "Manny," CARLOS BERMUDEZ, also known as "Carlito," TANIA AGUILAR, DONALD LNU, also known as "Dot," FNU LNU #2, also known as "Ray Banger," PALAYOTIS LAMPRINOS, also known as "Peter," KYLE SAMMUT, GEORGE ECONOMOS and SERGIO GUERRERO, be dealt with according to law.



Ryan Lawson
Special Agent
Federal Bureau of Investigation

Sworn to before me this
1st day of August, 2017



THE HONORABLE VIKTOR V. POHORELSKY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

